

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 13-O-07

Introduced By: Mayor Michael E. Bennett

Date Introduced: August 26, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

ORDINANCE NO. 13-O-07

AN ORDINANCE concerning

AMENDMENTS TO CITY'S PERSONNEL POLICY MANUAL

1 **FOR** the purpose of amending the City's current employee Personnel Policy Manual as required
2 by Chapter 547 of the Laws of Maryland of 2013, to include certain provisions relating to
3 reasonable accommodations to be provided to employees with disabilities caused by or
4 contributed to by pregnancy.

5
6 **BY** repealing and re-enacting, with amendments
7 City of Aberdeen Personnel Policy Manual
8 General Provisions and Policies
9

10 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF**
11 **ABERDEEN**, that the General Provisions and Policies of the City of Aberdeen Personnel Policy
12 Manual are amended by adding the following new policy, to follow immediately after the policy
13 on "Employment Reference Checks" on page 15 and to read as follows:
14

15 **ACCOMMODATIONS FOR DISABILITIES RELATED TO**
16 **PREGNANCY**. By Chapter 547 of the Laws of Maryland of 2013, effective
17 October 1, 2013, the Maryland General Assembly established new rights for
18 reasonable workplace accommodations for employees who have a disability
19 caused by or contributed to by pregnancy. Chapter 547 requires the City and
20 other employers in Maryland to include within their employee manuals
21 information concerning an employee's rights to reasonable accommodations for
22 such pregnancy-related disabilities.
23

24 If an employee requests a reasonable accommodation the City will explore with
25 the employee all possible means of providing the reasonable accommodation.

Such an accommodation must address the employee's pregnancy-related disability and not impose an undue hardship on the City. Examples of possible accommodations include changing the employee's job duties or work hour, relocating the employee's work area, providing mechanical or electrical aids, transferring the employee to a less strenuous or less hazardous position, or providing leave. Each request, and the reasonableness of any particular accommodation, will be evaluated on a case by case basis.

If an employee requests a transfer to a less strenuous or a less hazardous position the City will transfer the employee to such position if (i) the City has a policy, practice, or collective bargaining agreement requiring or authorizing the transfer of a temporarily disabled employee to a less strenuous or less hazardous position for the duration of the disability; or (ii) the employee's health care provider advises the transfer and the City can provide the reasonable accommodation without (a) creating additional employment that the City would not otherwise have created, discharging any employee, (b) transferring any employee with more seniority than the employee requesting the reasonable accommodation, and (c) promoting any employee who is not qualified to perform the job.

The City may require an employee to provide a certification from the employee's health care provider concerning the medical advisability of a reasonable accommodation to the same extent that the City requires such a certification for other temporary disabilities. This certification must include the date the reasonable accommodation became medically advisable, the probable duration of the reasonable accommodation, and an explanation as to the medical advisability of the reasonable accommodation.

SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that this Ordinance shall become effective (i) at the expiration of twenty (20) calendar days following adoption.

COUNCIL OF THE CITY OF ABERDEEN

Michael E. Bennett, Mayor

Ruth E. Elliott, Councilwoman

Bruce E. Garner, Councilman

Sandra J. Landbeck, Councilwoman

Ruth Ann Young, Councilwoman

ATTEST:

SEAL:

Monica A. Correll, City Clerk

Date _____